

Synthetics Trafficking and Overdose Prevention Act of 2018 (H.R. 5788, as amended)
Protecting Americans by
Stopping the Flow of Synthetic Opioids
in the International Mail System

The problem: We must stop synthetic opioids, like fentanyl, from entering the United States.

- Synthetic opioids like fentanyl enter the United States through multiple avenues, including ports of entry, express delivery services, and international mail. We must improve our ability to detect synthetic opioids and prevent them from entering the United States and harming Americans.
- By law, U.S. Customs and Border Protection (CBP) requires advance electronic data (AED) for shipments by private carriers, including express delivery carriers, to the United States. AED enables CBP to target high-risk shipments for inspection and seizure.
- However, these requirements do not extend to international mail shipments, creating a significant vulnerability and allowing criminals to ship synthetic opioids into the United States with ease.

The solution: H.R. 5788 requires the Postal Service (USPS) to obtain AED on international mail shipments, allowing us to target opioid shipments and take action at the border to halt contraband.

- This legislation requires USPS to transmit AED to CBP on at least 70 percent of international mail arriving to the United States by December 31, 2018, and 100 percent December 31, 2020, before it reaches the border. This data will enable CBP to target high-risk shipments, including those containing synthetic opioids, for inspection and seizure.
- The bill provides very limited authority to exclude a country from the AED requirement if the CBP Commissioner determines that a country: (1) lacks the capacity to collect and transmit AED; (2) is a low risk for shipments that violate relevant U.S. laws; and (3) has low volumes of mail shipments that can be effectively screened for compliance with U.S. laws through an alternate means.
- This legislation requires USPS to refuse shipments for which AED is not furnished and to take law enforcement action to protect our border.
- The bill also directs the State Department to strengthen international postal agreements and to ensure that any future agreements preserve our ability to require AED on all international mail shipments.

Enforcement and accountability: Congress will hold the Postal Service and CBP accountable for these mandates to protect international mail by imposing robust enforcement and oversight mechanisms.

- This legislation establishes civil penalties if USPS accepts international mail shipments without AED after December 31, 2020 and provides the CBP Commissioner with limited discretion to modify the penalties upon making certain findings.
- This legislation establishes rigorous oversight mechanisms to ensure that the agencies are accountable to Congress. These accountability measures include:
 - A joint strategic plan detailing specific performance measures for meeting the requirements;
 - Biannual briefing and annual reporting requirements to Congress; and
 - A report by the Government Accountability Office on the agencies' progress in achieving the legislative mandates, including an assessment of the quality of the information transmitted, the ability of USPS to present targeted shipments to CBP for inspection, and recommendations to improve USPS's compliance with the new requirements.